

§ 936.1

30 CFR Ch. VII (7–1–11 Edition)

936.25 Approval of Oklahoma abandoned mine land reclamation plan amendments.

936.30 State-Federal Cooperative Agreement.

AUTHORITY: 30 U.S.C. 1201 *et seq.*

§ 936.1 Scope.

This part contains all rules applicable only within Oklahoma that have been adopted under the Surface Mining Control and Reclamation Act of 1977.

[46 FR 4910, Jan. 19, 1981]

§ 936.10 State regulatory program approval.

The Secretary conditionally approved the Oklahoma regulatory program, as submitted on February 28, 1980, amended on June 11, 1980, and re-submitted on December 8, 1980, effective January 19, 1981. He fully approved the Oklahoma program, as amended on August 15, 1985, effective January 14,

1986. Copies of the approved program are available at:

(a) Oklahoma Department of Mines, 4040 N. Lincoln, Suite 107, Oklahoma City, OK 73105.

(b) Office of Surface Mining Reclamation and Enforcement, Tulsa Field Office, 5100 East Skelly Drive, Suite 470, Tulsa, OK 74135-6548.

[64 FR 20167, Apr. 26, 1999]

§ 936.15 Approval of Oklahoma regulatory program amendments.

The following is a list of the dates amendments were submitted to OSM, the dates when the Director's decision approving all, or portions of these amendments, were published in the FEDERAL REGISTER and the State citations or a brief description of each amendment. The amendments in this table are listed in order of the date of final publication in the FEDERAL REGISTER.

Original amendment submission date	Date of final publication	Citation/description
January 22, 1982	April 2, 1982	Permanent program regulations to replace those approved by the Secretary on January 19, 1981, and subsequently rescinded by the Oklahoma Legislature on February 12, 1981.
February 22, 1983	May 4, 1983	§§ 816.42(b) and 817.42(b).
May 13, 1983	August 28, 1984	45 O.S. 1981, §§ 745.2, 746.16, 774(c), 786(E), 788.17 through 788.19, 816.64; Parts 842, 843, 845; §§ 4.1000 through 4.1400; Sections governing the transfer, sale or assignment of rights under permits, inspection and enforcement provisions.
July 8, 1983	March 18, 1985	DOM/RR 776.12 through .15, .17, .18; 815.5, .11; 816.1, .2.
July 16, 1985	December 10, 1985	45 O.S. 1981.
August 15, 1985	January 14, 1986 ...	Administration and funding of the Small Operator Assistance Program.
September 11, 1985	January 16, 1986 ...	DOM/RR 700.5: definition of "surface coal mining operations", 701.5: definitions of "coal preparation" and "coal preparation plant".
August 8, 1985	April 28, 1986	DOM/RR part 850 establishing blaster training, examination and certification program.
May 18, 1988	March 27, 1990, May 15, 1990.	DOM/RR 700.1 through .5, .11 through .15; 701.1 through .5, .11; 705.1 through .6, .11, .13, .15, .17, .18, .19, .21, .22; 707.1, .4, .5, .10, .11, .12; 761.1, .3, .5, .11, .12; 762.1, .4, .5, .11 through .14; 764.1, .11, .13, .15, .17, .19, .21, .23, .25; 772.1, .2, .3, .11 through .16; 773.1, .5, .11, .12, .13, .15, .17, .19, .20, .21; 774.1, .11, .13, .15, .17; 775.1, .11, .13; 777.1, .11, .13, .14, .15, .17; 778.1, .13 through .18, .20, .21; 779.1, .2, .4, .11, .12, .18, .19, .21, .22, .24, .25; 780.1, .2, .4, .11 through .16, .18, .21, .22, .23, .25, .27, .29, .31, .33, .35, .37, .38; 783.1, .2, .4, .11, .12, .18, .19, .21, .22, .24, .25; 784.1, .2, .4, .11 through .26, .29, .30, .200; 785.1, .2, .13, .14, .15, .17, .18, .20, .21, .22; 795.3, .5 through .9, .12; 800.1, .4, .5, .11 through .17, .20, .21, .23, .30, .40, .50, .60; 810.1, .2, .4, .11; 815.1, .13, .15; 816.1, .2, .11, .13, .14, .15, .22, .41, .42, .43, .45, .46, .47, .49, .56, .57, .59, .61, .62, .64, .66, .67, .68, .71 through .74, .79, .81, .83, .84, .87, .89, .95, .97, .99, .100, .102, .104 through .107, .111, .113, .114, .116, .121, .122, .131, .132, .133, .150, .151, .180, .181, .200; 817.1, .2, .11, .13, .14, .15, .22, .41, .42, .43, .45, .46, .47, .49, .56, .57, .59, .61, .62, .64, .66, .67, .68, .71 through .74, .81, .83, .84, .87, .89, .95, .97, .99, .100, .102, .106, .107, .111, .113, .114, .116, .121, .122, .131, .132, .133, .150, .151, .180, .181, .200; 819.1, .11, .13, .15, .17, .19, .21; 823.1, .2, .11 through .15; 824.1, .2, .11; 827.1, .11, .12; 828.1, .2, .11, .21; 842.1, .11 through .16; 843.1, .5, .11 through .18, .20, .22; 845.1, .2, .11 through .21; 846.1, .5, .12, .14, .17, .18; 850.1, .5, .12 through .15.
March 30, 1990	December 18, 1990, February 15, 1991.	DOR/RR 700.5, 700.11(b)(4), and part 702, concerning an exemption for operations when the extraction of coal is incidental to the extraction of other minerals.

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Original amendment submission date	Date of final publication	Citation/description
June 21, 1990	January 9, 1991	DOM/RR 772.12(b)(12); 773.5(a)(2): the definition of "owned or controlled and owns or controls".
February 6, 1992	December 7, 1993 ..	Bond Release Guidelines, including revegetation success standards, statistically valid sampling techniques, guidelines for phase I, II, and III bond release.
February 17, 1994	January 10, 1995 ...	Bond Release Guidelines, including revegetation success standards, statistically valid sampling techniques, guidelines for phase I, II, and III bond release; Subsections I.E.3.b; I.F.3.d, .5.b; II.B.2.d; III.B.2.d; IV.A.1.a, b; V.B.2.c through f; VI.B.2.e; VII.A, B; Appendices A, F, J, O, R, V.
September 14, 1994	March 10 and 29, 1995.	OAC 460:20-35-1, -3(a)(2), (A), (B), (D), (b), -6(a), (b)(1) through (6), (d), -7(a), (2), (3); 460:20-43-12(b)(3), -45-12(b)(3); OAC, certification of construction of siltation structures by qualified, registered professional engineers and land surveyors; OAC 460:20-43-12(f)(8), -47, -48, -53(1); 460:20-45-28, -53(1); 460:20-49-5(a)(1), -6, -7(5).
July 5, 1995	November 9, 1995 ..	OAC 460:20-61-10(b)(1).
April 26, 1996	July 24, 1996	OAC 460:20-6-1 through -5.
July 3, 1997	August 10, 1998	OAC 460:20-43-46(c)(4) (A) through (G); 460:20-45-46(c)(4) (A) through (G); Oklahoma Bond Release Guidelines—Appendices A and R.
December 18, 1997 ..	January 22, 1999 ...	460:20-3-5; 20-27-14(a), (a)(2), (a)(3), (b), (c)(3), (f); 20-31-9(a), (a)(2), (a)(3), (b), (c)(2), (f); 20-33-6(a); 20-35-6(a), (b)(1), and (b)(3) through (b)(6); 20-35-7(a); 20-35-8; 20-37-15(a)(3); 20-43-12(a) through (a)(3); 20-43-14(a)(1) through (a)(3), (a)(4)(A) and (B), (a)(5), (a)(6), and (a)(9) through (a)(12), (c)(2)(A) and (B); 20-43-27(c); 20-43-29(a); 20-45-12(a) through (a)(3); 20-45-14(a)(1) through (a)(3), (a)(4)(A) and (B), (a)(5), (a)(6), and (a)(9) through (a)(12), (c)(2)(A) and (B); 20-45-27(c); 20-45-29(a); 20-57-2(g)(4)(A) and (h); and 20-61-11(a).
September 28, 1998	September 28, 1999	OAC 460:2-7-6; 2-8; 20-15-11 through 14.
September 30, 1999	December 17, 1999	Oklahoma Bond Release Guidelines—Subsections II.A.1.f and g, II.B.1.a, II.B.2.a; III.A.1.f and g, III.B.1.a, III.B.2.a; V.B.2.d and V.B.2.e; appendix A; Policy Statements dated May 21, 1996, and September 30, 1999.
January 13, 2000	May 26, 2000	OAC 460:20-5-3(4); 20-5-9(a)-(c); 20-5-10(c)(3); 20-5-12(b)(1).
January 25, 2001	May 9, 2001.	OCA 460:20-17-3.
November 20, 2001 ..	May 24, 2002	OAC 460:20-7-2; 20-7-3; 20-7-4 Introductory paragraph, (2), (3), and (4)(B); 20-7-4.1; 20-7-5(a), (b)(1) and (2), (c), (d), (e), (f)(1) and (3), (g), (h); 20-13-5(b)(14), (d)(2)(D).
November 1, 2001	January 17, 2003 ...	Sections 460:20-3-5; 20-5-1; 20-5-2; 20-5-3; 20-5-4(a)(7) through (d); 20-5-6; 20-5-7(a) and (b); 20-5-8; 20-5-9(b); 20-5-10(a), (a)(2), (b)(1) through (c)(4); 20-5-13; 20-15-4; 20-15-6(b)(4), (b)(5), and (c)(13); 20-33-12; 20-43-46(b)(6) and (c)(2) through (c)(3)(B); 20-45-46(b)(6) and (c)(2) through (c)(3)(B).
July 15, 2005	March 27, 2006	Oklahoma Administrative Code (OAC) 460:20-25-11(a)(11); 460:20-29-11(a)(11); 460:20-31-13(a)(3); 460:20-43-14(a)(1), (a)(3), (a)(9)(A), (a)(9)(B)(iii), (a)(11)(A), and (a)(14); 460:20-43-46(b)(3)(A), (b)(3)(A)(i)-(iii), (b)(3)(B)-(E); 460:20-43-52(d)(3) and (e)(1); OAC 460:20-45-46(b)(3)(A), (b)(3)(A)(i)-(iii), (b)(3)(B)-(E) and (c)(2); and OAC 460:20-45-47(c)(2), (c)(4) and (c)(4)(A)-(E).
November 26, 2008 ..	April 9, 2010	Notice of violations: Section 460:20-59-4.

[62 FR 9951, Mar. 5, 1997, as amended at 63 FR 42579, Aug. 10, 1998; 64 FR 3423, Jan. 22, 1999; 64 FR 52232, Sept. 28, 1999; 64 FR 70586, Dec. 17, 1999; 65 FR 34096, May 26, 2000; 66 FR 23608, May 9, 2001; 67 FR 36516, May 24, 2002; 68 FR 2451, Jan. 17, 2003; 71 FR 15033, Mar. 27, 2006; 75 FR 18051, Apr. 9, 2010]

§ 936.16 Required regulatory program amendments.

Pursuant to 30 CFR 732.17(f)(1), Oklahoma is required to submit to OSM by the specified date the following written, proposed program amendment, or a description of an amendment to be proposed that meets the requirements of SMCRA and 30 CFR Chapter VII and a timetable for enactment that is consistent with Oklahoma's established administrative or legislative procedures.

(a)-(g) [Reserved]

[60 FR 2520, Jan. 10, 1995; 64 FR 70587, Dec. 17, 1999]

§ 936.20 Approval of Oklahoma abandoned mine land reclamation plan.

The Secretary approved the Oklahoma abandoned mine land reclamation plan, as submitted on July 30, 1981, effective January 21, 1982. Copies of the approved plan are available at: